

## Message Text

UNCLASSIFIED

PAGE 01 CHIANG 00267 250454Z  
ACTION SCS-05

INFO OCT-01 EA-09 ISO-00 SCA-01 L-03 DHA-02 /021 W  
-----060776 250456Z /20

P R 250423Z JUL 77  
FM AMCONSUL CHIANG MAI  
TO SECSTATE WASHDC PRIORITY 478  
INFO AMEMBASSY BANGKOK

UNCLAS CHIANG MAI 267

E.O.11652: N/A  
TAGS: CARR, TH  
SUBJECT: LEGAL REPRESENTATION AVAILABLE TO AMERICANS ARRESTED ABROAD

FOR SCS

REF: STATE 147704, STATE 169217

1. ACCORDING TO THAI LAW, THE COURT MUST PROVIDE FREE LEGAL REPRESENTATION TO ANYONE CHARGED WITH AN OFFENSE WHICH CARRIES A PENALTY OF TEN OR MORE YEARS IMPRISONMENT. THE COURT MAINTAINS A LIST OF ALL THE LAWYERS PRACTICING IN THE AREA UNDER ITS JURISDICTION. THESE LAWYERS TAKE TURNS PROVIDING FREE LEGAL REPRESENTATION, AND AN ACCUSED WHO REQUESTS A COURT-APPOINTED ATTORNEY MUST ACCEPT THE ONE WHOSE NAME IS NEXT IN LINE. THIS SERVICE IS AVAILABLE TO ALL DEFENDENTS, THAI OR FOREIGNERS.

2. IN ADDITION, THE COURT WILL PROVIDE FREE LEGAL REPRESENTATION, USING THE SAME SYSTEM, FOR ANY OFFENDER AGED LESS THAN 20 YEARS WHO REQUESTS IT, NO MATTER WHAT THE GRAVITY OF THE OFFENSE.

3. AN ALTERNATE SYSTEM IS AVAILABLE IN CHIANG MAI FOR THOSE CHARGED WITH CRIMES CARRYING LESS THAN TEN YEARS  
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IMPRISONMENT. THE LOCAL LAWYERS ASSOCIATION PROVIDES FREE LEGAL REPRESENTATION IN THESE CASES, USING THE SAME SYSTEM OF ASSIGNING THE TOP NAME ON THE LIST OF ALL MEMBERS. WE UNDERSTAND MOST OF THE LAWYERS PRACTICING IN CHIANG MAI PROVINCE ARE MEMBERS OF THIS ASSOCIATION.

4. WHILE THE REPRESENTATION DESCRIBED ABOVE IS FREELY

AVAILABLE TO AMERICANS ARRESTED HERE, WE NOTE THAT THE QUALITY OF SUCH REPRESENTATION MAY VARY GREATLY. IT IS ENTIRELY A MATTER OF LUCK WHETHER THE OFFENDER WILL DRAW A SKILLED OR INCOMPETENT LAWYER FROM THE LISTS MAINTAINED BY THE COURT OR THE LAWYERS' ASSOCIATION. IN ADDITION, MOST OF THE LOCAL LAWYERS DO NOT SPEAK ENGLISH. ACCORDINGLY, IN CASES WHERE THE ASSISTANCE OF AN ATTORNEY IS CLEARLY ADVISABLE, WE ENCOURAGE AMERICANS TO RETAIN ONE OF THE WELL-QUALIFIED, ENGLISH-SPEAKING ATTORNEYS OF THE CONSULATE'S LIST OF ATTORNEYS.  
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## Message Attributes

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**Review Markings:**  
Margaret P. Grafeld  
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